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THE THREE BOOKS FOUND IN THE TEMPLE AT JERUSALEM

BY JACOB Z. LAUTERBACH, Hebrew Union College.

AN ancient tradition, preserved in the talmudic literature, speaks of three certain books which were found in the Temple at Jerusalem. Each one of these three books is mentioned under a special name, by which it was called, and which, no doubt, was meant to designate its peculiar character. The report of this tradition is very brief, and reads as follows: שלשה ספרים מצאו בעזרה ספר מעוני ספר זעטומי וספר היא (p. Taanit 68 a, 47 ff.). In Sifre Deut. § 356 (ed. Friedmann, p. 148 b) the wording of this report is slightly different. There it reads thus: שלשה ספרים נמצאו בעזרה, אחד של מעונים ואחד של היא היא ואחד שנקרא ספר זעטומים¹.

There is no reason whatever to question the historic character of this report or doubt the correctness of its statements. Its brief form and concise language mark it

¹ It should be stated at the outset that these ten words in the Pal. Talmud, or the fifteen words in the Sifre, constitute the complete text of the report. What follows these first ten, resp. fifteen words in the Pal. Talmud and in the Sifre, beginning with באחד מצאו, is no more part of the report itself, but later additions which seek to explain the meaning of the old report.

This report is also found in Abot d. R. Nathan, version B, ch. 46, ed. Schechter, p. 65 a, and in tractate Sopherim, VI, 4, where it is quoted by R. Simon b. Lakish (or R. Judah b. Lakish (?), see below, note 4). The text of the report, as given in these two last works, shows but a few slight variants, as מעונה instead of מעוני or מעונים, and זעטומה (in tractate Soferim זאטומי) instead of זעטומי or זעטומים.

as a historic document, and not as a mere legendary report.

The date of this report is very old. This is evident from the very language it employs. The terms used in it seem to be archaic; at least, we do not find them used elsewhere in the talmudic literature. The manner and form in which the report is expressed also point to a very early date. The author of this report seems to speak of a contemporaneous fact, or at least of something well known to the people of his time. He seems to take it for granted that the main character and the contents of these books are known to all, and that therefore he need only state their number and mention the specific names which designate the special distinction or peculiar feature of each one of them. For he did not deem it necessary, except by merely giving their names, to describe these books in detail, or to say something more about their contents.

That this report represents an ancient tradition and is of a very early date is further evidenced by the fact that its real contents and their correct meaning were no longer known to the later talmudic teachers, the younger Amoraim. For, as will be shown in the course of this essay, the later talmudic teachers, especially the redactors of the Abot d. R. Nathan and of the Palestinian Talmud, who preserved this report to us with additions and comments of their own, have altogether misconstrued the purport of this report and misunderstood the meaning of its statements. It is hardly possible to assume that these teachers could have made such blunders if they had been discussing and interpreting statements of a contemporary author or even of one near to their own time. Such mistakes in the interpretation of an historical report on the part of the later teachers

can be explained only on the supposition that a long period of time separated the author of the report from the teachers who tried to interpret it. In the course of such a long time, which also brought about radical changes in the conditions of life, it could well have happened that the actual facts to which the report referred, and the conditions which it presupposed, should have become entirely forgotten, so that the correct meaning of the report was no longer known. The later teachers, who found the brief statements of this old report without any comment to it, could only guess at its meaning. They may have considered it from a wrong point of view, in that they looked at it in the light of the conditions of their own time, and thus could easily misunderstand and misinterpret it.

It may, accordingly, be assumed with reasonable certainty that our report originated at a very early date, possibly during the time when the Temple was still in existence; at least, not long after its destruction. At that time the conditions which prevailed in the Temple and the nature of the books which were kept there were still well known to the people. The author of our report, therefore, could well content himself with merely stating the number of these books and designating each by its characteristically significant name.

Now, what are the contents and the real purport of this report? What was the character common to all these three books, found in the Temple? What was the special feature of each one of them, and how is this special feature of each indicated in the distinct name given to it in our report?

In all the four works (Sifre, Abot d. R. Nathan,

Palestinian Talmud, and the tractate Soferim) containing our report, there are also found accompanying it a few additions by later teachers, consisting of explanatory remarks which constitute a sort of a commentary to the original report.² From these additions it is evident that

² These explanatory remarks are different in the different works and partly contradict one another. In order to be able to show the origin of this Talmudic commentary on our report and trace its changes and gradual developments into its present various forms, which will be attempted at the end of this essay, I will quote here this talmudic commentary as found in the different works. In the Pal. Talmud, *loc. cit.*, the explanatory remarks to our report read as follows: באחד מצאו כתוב מעון אלהי קדם ובשנים: כתוב מעונה אלהי קדם וקיימו שנים וביטלו אחד באחד מצאו כתוב וישלח את זעטוטי בני ישראל ובשנים כתוב וישלח את נערי בני ישראל וקיימו שנים וביטלו אחד באחד מצאו כתוב תשע היא ובשנים כתוב אחת עשרה היא וקיימו שנים וביטלו אחד.

It should be noticed that, according to this explanation, the name of the first book ought to have been called, after its peculiar variant, ספר מעון and not ספר מעוני or ספר מעונים, since neither one of these last two forms was, according to the commentary, found in the text of this book.

In Abot d. R. Nathan, *loc. cit.*, the additions to our report read as follows: ספר מענה [באחד היה כתוב מעון אלהי קדם ובאחד היה מעונה בטלו האחד וקיימו השנים, אמר רבי יוסי זה הוא ספר שנמצא בבית מעון ספר זעטוטי] באחד היה כתוב זעטוטי בני ישראל ובשנים כתוב וישלח את נערי בני ישראל בטלו את האחד וקיימו את השנים ספר היא בכל מקום שהיה כתוב היא היו קורין (אותו) הוא, ויש אומרים אחד עשר יודידיות היא שבתורה בטלו את האחד וקיימו את השנים.

Here we are not told in what form the word מעון or מעונה was found in the third book. On the other hand, there are two different explanations offered for the meaning of the name of the third book היא. Neither one of these two explanations, however, is sufficiently clear; see Schechter's remark, note 11.

In tractate Soferim the explanatory remarks to our report read as follows: באחד מצאו כתוב מעון אלהי קדם ובשנים כתוב מעונה אלהי קדם וקיימו שנים ובטלו אחד, באחד מצאו כתוב וישלח את זעאטוטי בני ישראל ובשנים מצאו כתוב וישלח את נערי בני ישראל וקיימו שנים ובטלו אחד, באחד כתוב אחד עשר הוא ובשנים מצאו כתוב אחד עשר היא וקיימו שנים ובטלו אחד.

the authors of these explanatory notes, or, at any rate, the respective redactors of these four talmudic works, who added these notes to our report, understood the latter to have reference to the Books of the Law or Torah scrolls. According to this commentary of the later talmudic teachers, our report tells us about three model Torah scrolls or standard copies of the Pentateuch which were kept in the Temple, and from which a correct text for all other copies of the Torah was established. Each one of these standard copies is said to have been marked by just one special peculiarity in the writing of a certain word. From this characteristic peculiarity, which distinguished it from the two others, each one of these three copies is supposed to have derived its distinct name.

The one copy is described as having contained a peculiar variant of the word *מעונה*, occurring in Deut. 33. 27, and hence it was called *ספר מעוני*. The other copy is said to have contained the foreign word *זעטוטי* instead of the Hebrew word *נערי* in Exod. 24. 5. For this reason it was called *ספר זעטוטי*. The third copy again was distinguished from the others by the peculiarity which it showed in the spelling of the personal pronoun third person feminine. In all the passages where this word occurs—or, according to the other

The Sifre contains but one short comment, explaining the meaning of the name of but one book. It reads as follows: *באחד כתוב מעון קדם ובשני מעונה אלהי קדם ובטלו חכמים את האחד וקיימו השנים (ובשניה ובשניה should perhaps be read ובשנים)*. No explanation is given of the meaning of the other two books.

It should further be noticed that the commentary in its various forms, the short comment of the Sifre included, is based upon the version of our report as given in the Pal. Talmud and not upon the version of the Sifre. *ספר מעוני* and *ספר זעטוטי* can be interpreted to mean, the book containing the variant *מעוני* or *זעטוטי*. But the version *אחד של מעונים וכו'* does not permit the possibility of such an interpretation.

version of the commentary, only in eleven (nine) passages—this copy had the correct form **היא** instead of the form **הוא** which the other two copies had. Because of this peculiarity this third copy was called **ספר היא**.

Although the three different versions of the commentary on the report differ from one another very much in details and partly conflict with one another, yet in the main question as to the contents of our report they all agree in their interpretation that the books described in it were Torah scrolls. This interpretation of the meaning of our report has also been accepted by all modern scholars. To my knowledge, at least, no one has questioned the correctness of the assumption that our report speaks about Torah scrolls.

This supposition, however, is full of difficulties and obviously untenable. The objections to the report, as understood by the talmudic commentary, are so many and the arguments against its correctness are so strong that one is constrained either to reject the whole report as unreliable and legendary, or to ignore the talmudic glosses altogether, and seek to understand this report and interpret it independently of the commentary given to it by later talmudic teachers.

Professor L. Blau³ pointed out the many difficulties

³ *Studien zum althebräischen Buchwesen* (Budapest, 1902), pp. 102 ff. To the difficulties involved in the talmudic conception of our report, mentioned by Blau, there is to be added the following main difficulty, namely, that the explanations offered by this talmudic commentary on our report do not explain the report and are altogether out of accord with the statement they are to explain. Thus, according to this commentary, the one book is said to have contained the variant **מעון** instead of **מעונה**, which the other two books had. We would accordingly expect, if the book was called after the peculiarity found in its text, that this book should be called **ספר מעון**, but this is not the case. No version of the report has this form

inherent in this report, as understood by the talmudic commentary, and he also mentions the strong objections which must be raised against the supposition that our report refers to three Books of the Law or Torah scrolls, found in the Temple at Jerusalem, which differed from one another only in the writing or peculiar spelling of just these three words but otherwise were perfectly alike and had no other peculiarities to distinguish them from one another. On the ground of all these difficulties found in the talmudic conception of our report, Blau has rightly rejected the com-

of the name. The Pal. Talmud has **מעוני** and the Sifre has **מעונים**, while the Abot d. R. Nathan and tractate Soferim have the name of this book as **ספר מעונה**, according to the form of this word which was correctly written in the two other copies. It is true, the Yalkut to Deuteronomy, § 964, quotes the text of our report as stating that the book was called **ספר מעון**, but this is merely a correction in the text of our report made by the Yalkut to harmonize it with the talmudic explanation of the meaning of **ספר מעוני**. The same is also to be said about the Midrash Tannaim (ed. Hoffmann, p. 222), where alongside of the form **ספר מעוני** is also found the corrected reading **ספור מען**.

In the interpretation of the name of the book **היא** the different versions of the commentary conflict with one another and none of them explains the name sufficiently. According to the Pal. Talmud, the book so designated contained only nine times the word **היא** spelled with Yod, while the other two books contained this word in the form spelled with Yod eleven times. The difference between the books, then, was merely in the number of times this peculiarity was found in them. And it is rather strange that a book should be designated after the peculiarity in the spelling of a certain word when it shows this peculiarity in less instances than the other books. Again, according to tractate Soferim the peculiarity of this book was that in eleven instances it contained the word **הוא** in the form spelled with Waw instead of with Yod, while the other books had the word in the same eleven instances in the form **היא** spelled with Yod. Then we would expect this book to be designated **ספר הוא** after its peculiarity in the spelling of this word. Of the two explanations offered in the Abot d. R. Nathan, the one is apparently identical with the explanation given in tractate Soferim and presents the same difficulty, while the other does not at all state clearly wherein the peculiarity of the **ספר היא** consisted. See above, note 2.

mentary, given to our report in the talmudic glosses, as incorrect. He substitutes a theory of his own whereby to explain the contents and the meaning of this ancient report. But the theory which he advances and the explanations which he offers for the names of the three books and their origin are, to say the least, not better than the theory and the interpretations contained in the talmudic glosses.

According to Blau, this report is not a very ancient report. It does not represent a record of the time of the existence of the Temple or of the period immediately following it. Perhaps it is not even a Baraita. It did not originate in the tannaitic period. Its date is a late one. It comes originally from the third century (p. 106) and speaks of three Torah scrolls of the third century which it compares with one another and the peculiarities of which it records. These three Torah scrolls were merely believed to have originally come from the Temple in Jerusalem. They may have been found somewhere (where?) by Jews or bought by them from the Roman spoilers who had carried them away from Jerusalem (p. 104).

The designation of these three names are, according to Blau, very aptly chosen. In one case, the designation is after the place where the book was found; in the other it gives the name of the owner of the very valuable copy; and finally, in the third case, it gives a characteristic description of the form and size of the book. Thus, (1) The ספר מעוני was a Torah scroll which was found and kept in the place Beth Maon, briefly called Maon, which is in the neighbourhood of Tiberias. This Torah copy was perhaps saved from the Temple by exiles from Jerusalem who brought it with them to this place Maon (p. 105). It was accordingly designated after the place in which it had been preserved, 'The Book

of Maon' or 'Maoni-Codex'. (2) The ספר היא or ספר היא was a Torah copy which was in the possession of a gentleman by the name of He or He-he. It was therefore called after its owner, 'The Book of He' or 'The He-Codex'. (3) The ספר זעטוטי, finally, was so designated because of its very small size. In the tractate Soferim this name Zatuti is found in the form זאטוטי instead of זעטוטי. A comparison of this form זאטוטי with the word זוטא, which means 'small', suggests to Blau that the former is a Katlul-form of the latter and means accordingly 'very small'. The book thus designated was, accordingly, very small in size, or its writing was in very small characters (pp. 105-6).

This theory of Blau, however, is merely an unfounded conjecture. In the first place, it is altogether against the plain meaning of the words of our report. For the report distinctly speaks of books which were found in the Temple, and which, already at the time when they were found in the Temple, had been designated by the names מעוני זעטוטי and היא respectively. It can therefore not be interpreted to have reference to books which merely were believed to have come from the Temple and which were subsequently designated by these names. Besides, this theory represents many difficulties and inconsistencies, and is even contradictory in itself. I shall point out only some of the incredibilities and contradictions contained in this theory of Blau.

On p. 103, Blau correctly distinguishes between the original text of our report and the later additions made to it. He rightly states that the older text of the original report consisted only of the first ten words, closing with the word היא, as given in the version of the Pal. Talmud Taanit. All the rest which follows this, beginning with

the word **במחר**, is later addition and forms a commentary to the older original report. But at the same time he also assumes that these later additions, or the commentary which gives the explanations to these three names, originated with the Palestinian Amora Simon b. Lakish or with one of his teachers. If, however, the original report originated in the third century, as Blau assumes on p. 106, and the author of the commentary was the Amora Simon b. Lakish, who lived in the first half of the third century, or one of his teachers who must have lived at a still earlier time, then we are confronted with the preposterous conclusion that the original text of the older report, dealing, as Blau assumes, with Torah copies of the third century, must have been younger than the commentary given to it. At any rate it could not have been older, so that one cannot speak, as Blau himself does, of an earlier report and a later commentary on it.

Furthermore, if the report merely compares three Torah copies of the third century, of which the one existed in Maon near Tiberias, and the other was in the possession of a person named He, and the third was of very small size, how could Simon b. Lakish, who lived in Tiberias, have made such an egregious blunder in the interpretation of this report as to reduce the well-known neighbouring town Maon and the owner of the second copy by the name of He, who must have been not less well known, to mere variants in the spelling of certain words? While we grant that it could have happened, and in fact did happen, that the later Amoraim sometimes misunderstood an older Mishnah or misinterpreted an old traditional report when after the lapse of a long period of time the correct meaning was lost to them, it is almost inconceivable that a prominent

teacher, such as Simon b. Lakish was, should have so utterly misunderstood a contemporary report, describing a well-known copy of the Pentateuch extant in his own time and in a town so very near his own place of residence. This is all the more strange, if we should assume with Blau that another teacher R. Jose (Abot d. R. Nathan, *loc. cit.*), whom Blau takes to have been an Amora younger than Simon b. Lakish (p. 105, note 3), has known that Sefer Maoni really meant a Torah copy preserved in the town of Beth Maon. How then could this supposedly well-known fact, mentioned by the younger R. Jose, have escaped the notice of the older teacher Simon b. Lakish?

Blau must have realized this difficulty, and it seems that he hesitated somewhat to ascribe to Simon b. Lakish such a blunder in the interpretation of well-known names of persons and places. To account for the possibility of such a mistake on the part of Simon b. Lakish, Blau offers the following explanation according to which Simon b. Lakish's supposed interpretation of our report was after all not entirely wrong, and his alleged mistake perhaps no mistake at all.

In the case of the copy of the man He, Blau suggests that it might have actually had a peculiar way of spelling the word **היה**, the very word which sounds like the name of the owner. Of course, it may also have had other characteristics and different peculiarities in the spelling of other words, but these were not noticed or at least not commented upon. Blau does not find it strange on the part of ancient writers to thus have ignored all other characteristic peculiarities and to have reported only this one variant. He explains it as follows: 'Since this copy was called by the name of **ספר הי** and the ancient teachers did not consider

names as merely accidental but rather had a special fondness for interpreting them, it can well be understood why they just set out to search after the variants in the writing of the word **היא** and why they reported only these variants' (p. 105)

In the case of the copy supposed to have been found in the town of Beth Maon, Blau seems likewise to assume that by a strange coincidence it also contained the variant **מען** instead of the form **מענה** in the passage of Deut. 33. 27. For he remarks on p. 105, 'Whether in this copy the ה of the word **מענה** had been originally missing or merely faded away, is not of any importance'.

One might as well add a third miracle by assuming that in the third copy, the one which was of very small size, by a strange coincidence actually had instead of the word **נערי** in the passage of Exod. 24. 5 the foreign word **זוטטי**, which sounds so much like **זוטא** 'small', a description which just fits the peculiar characteristic of this copy. In this manner both theories, the one advanced by Blau himself, and the one ascribed by him to the Amora Simon b. Lakish, could well be harmonized.

However, even if one could bring himself to believe in all these miraculous coincidences and accept the far-fetched and forced explanations of the difficulties inherent in both these theories, one would still be compelled, by reasons about to be stated, to reject their commentary on our report. For this commentary is based on an altogether unwarranted supposition which entirely misunderstood the nature of our report and mistook its purport.

To save the reputation of Simon b. Lakish, I wish to state first that he is not guilty of any of the grievous mistakes pointed out above, as he is not responsible for the

theory ascribed to him by Blau. He is neither the author of our report nor did the commentary on this report, as given in the talmudic glosses, originate with him or his teacher, as Blau erroneously assumes. If the name of Simon b. Lakish⁴ is mentioned in the tractate Soferim in connexion with our report, it is not to be interpreted, as Blau does, that Simon b. Lakish was the author of our report, as well as of the explanatory remarks and additions which follow it in the text of the tractate Soferim. Simon b. Lakish is mentioned there merely as one who cited or transmitted the old report. To this old report, cited by Simon b. Lakish, the redactor of the tractate Soferim added the explanatory remarks which he found in the Palestinian Talmud or possibly gathered from other sources.

These explanatory remarks and additions, however, were the work of later teachers who tried to explain the meaning of the old report. We have seen that their interpretations are not satisfactory. It is evident that they merely guessed at its meaning and guessed wrongly. To understand correctly this ancient report we must try to find its real meaning independently of these explanatory remarks of the later teachers. We must even be careful not to allow ourselves to be biased by their guesses in favour of their supposition. The proper way to proceed, then, would be to ignore their commentary altogether and consider only the text of the report itself.

Now, if we consider the text of the report itself we have no reason whatever to assume that it refers to Books of the

⁴ The suggestion of V. [Aptowitzer (*Hakedem*, 1908, p. 103) that in the passage of the tractate Soferim the name of the Tanna R. Judah b. Lakish, a pupil of R. Akiba, should be substituted for the name of the Amora Simon b. Lakish, seems to me to be very plausible.

Law, or Torah scrolls at all. This idea about our report viz. that it speaks of copies of the Torah, was given to us only by the commentary of the later teachers, which commentary we have found to be unsatisfactory. Having rejected their commentary as unsatisfactory, there is no reason why we should still retain the supposition upon which their whole theory was based, as such a supposition is altogether unwarranted by the words of the text of the report. Nay, even more, such a supposition is disproved by the terminology used in the text.

As we have seen above, the text of the report consists of only ten words, and reads as follows: ג' ספרים מצאו בעזרה. ספר מעוני ספר זעמוטי וספר היא. Now, if we consider this report without any preconceptions as to its contents and do not read into it what it does not expressly say, then this report tells us merely about books found in the Temple, but not about sacred books, and certainly not about books of the Pentateuch or Torah scrolls. For to the latter the designation ספרים could hardly have been applied by the author of this report. During the Temple times, when our report most probably originated, and even later on throughout the period of the Mishnah, the name used as a designation for the Pentateuch was תורה⁵ and not ספר or ספרים. In contradistinction with the Pentateuch, the other books of holy Scriptures are designated ספרים (M. Megillah III, 1). Whether this designation ספרים was applied only to prophetic books or was also used to designate the Hagiographa as well, does not concern us here. This much, however, is certain, that the designation ספרים could have been applied

⁵ It is also found in the plural to designate Torah scrolls, as in the passage of the Pesikta d. R. K. 32 (Buber, p. 197 a) has שלש עשרה תורות, where it means copies of the whole Pentateuch.

only to biblical books outside the Pentateuch—prophetical or both prophetical and hagiographical—but not to the Pentateuch, which had its special name: Torah. Consequently, the author of our report, who certainly was not later than the Mishnah period, in speaking about books, found in the Temple, and using the term *sefarim*, could not have meant copies of the Pentateuch to which this term was not applied in his time.

It is likewise evident that the author of our report did not mean any of the other sacred books of the Bible outside the Pentateuch. For even though the sacred books of Scripture outside of the Pentateuch were designated by the term ספרים, this latter term had not lost its original simple meaning, denoting books in general. The term ספרים was used both in a broader (general) and in a narrower (technical) sense. When used as a technical term to denote the books of holy Scripture, the books *par excellence*, no additional phrase or comment was necessary to characterize the books or to describe their contents. When, however, the term was used in its simple meaning and in the broader sense to denote books in general, there was usually added another term, or a phrase to characterize and describe more accurately the nature of the books referred to, what kind of books they were and what they contained. Thus, e.g. when it is said in the Talmud (R. H. 17 b) that on New Year's Day there are three books opened שלשה ספרים נפתחין בראש השנה, there is immediately added a description of these books, to tell us what kind they were and what they contained, namely, אחד של רשעים גמורים ואחד של צדיקים גמורים ואחד של בינונים. This is also the case with the statement made in our report. The author of our report does not speak of sacred books. He uses the term ספרים in its broader sense

to denote books in general. After stating that there were three books found in the Temple, he felt the necessity of characterizing and describing these books. He therefore goes on immediately to tell us what kind of books they were and what they contained. The words in our report 'ספר מעוני וגו', or, as the more correct version in Sifre reads, 'אחד של מעונים וגו', must therefore not be understood as merely describing certain peculiarities of each book, like the peculiar spelling of a certain word, or the extremely small size of the characters in which it was written, or the name of the owner, or the place where it was kept. For then the most essential thing in the description of these books, namely, what they really were, would be missing. Like the words 'אחד של רשעים נמורים וגו' in the statement about the books that are opened on New Year's Day, the words 'אחד של מעונים וגו' in our report tell us the main thing about these three books found or kept in the Temple, namely, what kind of books they were and of what their contents consisted. By ascertaining the correct meaning of these words of description in our report and interpreting them without any preconceived notions, we shall be able to find out what books our report has reference to. The first part of this report tells us that these three books were found in the Temple of Jerusalem. This does not mean that these books were accidentally found in the Temple, but it means rather that these books were found in the Temple, because the Temple (i. e. its archives) was the place where these books were always kept and preserved. This gives us a clue to the meaning of these descriptions of the three books. We have only to find out what kind of books were especially preserved and kept in the Temple archives.

Whether there were kept in the Temple such standard

Torah scrolls which served as model copies from which the text of all other Torah copies was corrected, is, to say the least, historically not quite certain. For our purpose a discussion of this question is irrelevant. For, even if we should grant that there were such model copies of the Pentateuch preserved in the Temple, it would not alter the fact that our report does not refer to them. For our report speaks of books ספרים, and not of Books of the Law ספרי תורה, or Torah scrolls תורות.

The books which our report has reference to were books of a character altogether different from books of the sacred Scriptures. They were books about which we know with all certainty from other historical sources that they were kept and preserved in the Temple at Jerusalem. These books kept in the Temple and referred to in our report were ספרי יוחסין, Books of Genealogies, containing the genealogical lists of various classes of the people, or family records.

In order to be able to prove my thesis that our report speaks about these genealogical books, and to show how these genealogical books are unmistakably mentioned and aptly described in our report, I must first state briefly the character of these family records and what we know about them from other historic sources.

Josephus (*Contra Apionem*, I, 7) reports the fact that in the archives of the Temple at Jerusalem exact and careful records of the genealogies of the priestly families were kept. When giving his own aristocratic family tree, he emphatically states that he had set down the record of the genealogy of his own family as he had found it described in the public records (*Vita*, I). These records, of course, contained not only the lists of the families of the

priests but also those of the Levites, the minor priests. This fact is also confirmed by reports found in rabbinic literature. In Mishnah Middot, V, 4, we are told that in the Lishkat ha-gazit (one of the halls in the Temple at Jerusalem) a tribunal of the great Sanhedrin would hold their sessions for the purpose of judging and deciding about the family purity of the priesthood and of the Levites. See Tosafot Yom Tob *ad loc.* Cp. also Tosefta Hagigah, II, 9 and Tosefta Sanhedrin, VII, 1.

This statement is repeated in the Talmud (b. *Kiddushin* 76 b), and the members of the tribunal who attended to this work are designated as מִיחָסֵי כְהוֹנָה וּמִיחָסֵי לֵוִי, the examiners of the Genealogies of the Priests and Levites. These judges about the purity of descent of the Priests and Levites must have had before them records in which they could trace the pedigree of each Priest or Levite. This presupposes not only the existence of such records from which proofs for the pure descent of the Priests and Levites could be obtained, but also that such records were kept in the Temple, where this tribunal held its sessions, and where they were at hand for the consultation by the members of this tribunal, holding their session in the Temple.

Besides these records which contained the lists of the families of Priests and Levites, there was also a special register of all the non-priestly Israelitish families of purely Jewish descent, such as could intermarry with the priestly families, the מְשֻׁבָּחִים לְכֹהֵנִים. This record was likewise kept in the Temple and had frequently to be consulted by the Judges who decided upon the purity of the priests, as, for instance, in the cases of priests whose mothers were Israelitish women, not of priestly family. It was from this

record that they could prove that there was no stain in their family.

Josephus presupposes such records for Israelitish families when he says (*Contra Apionem*, *loc. cit.*) that the priest before marrying must examine the character of his wife's family and take her genealogy from the archives, thus to make sure that she is, if not of priestly, at least of pure Jewish descent. Such records are also presupposed by the Mishnah (Ḳiddushin, IV, 4), where it is prescribed that one need not search [in the genealogies] farther than the altar (in the case of priests) or the Dukan (in the case of Levites), or than membership in the Sanhedrin (in the case of Israelites).⁶ These genealogies were supposed to have their origin in the book of genealogies ספר היחוס, which contained the lists of the families of the returned exiles (Ezra 8. 1-15; Neh. 7. 5 ff.). The ספרי יוחסין, or Books of Genealogies kept in the Temple, which contained the families of Priests, Levites, and Israelites, were probably believed to have been the continuation of the book or register first begun by Ezra. Beside these registers,

אין בודקין לא מן המזבח ולמעלה ולא מן הדוכן ולמעלה ולא מן סנהדרין ולמעלה. The meaning of this regulation is that in searching the genealogical records to examine the purity of descent of a certain person, we need only establish the fact that one of the progenitors of the person in question held one of these three offices unchallenged. For then we are assured of the purity of descent of that progenitor, for, before admitting him to the office, the authorities of that time must have convinced themselves of his being of legitimate birth and of pure descent. If, therefore, nothing derogatory is found in the record of the genealogies between that ancestor and the person now on trial, the purity of descent of the latter is established. The altar is the test for the priests, the Dukan for the Levites, and membership in the Sanhedrin is the test of the aristocratic Israelites of purely Jewish descent, for only Israelites of blameless families and purely Jewish descent were eligible to an office in the Sanhedrin (see Mishnah Sanhedrin IV, 2, Horayot I, 4, and Talmud Sanhedrin 36 b).

containing all the classes of the Jewish nation, it became necessary, already at a very early time in the history of the restored community, to have another register containing the Proselytes that joined the community and the families which descended from them.

The prohibition against intermarriage, even in its most rigorous interpretation as given by Ezra, could not be so applied as to exclude marriages with proselytes altogether. It certainly did not prevent marriages with sincere proselytes from such nations whose admission into the community of God is expressly permitted in the Law, as e.g. the Egyptians and Edomites of the third generation (Deut. 23. 8). Such marriages no doubt were contracted, more or less frequently, soon after the time of Ezra. Whether this was due to a reaction against Ezra's rigid reforms, or was not considered to be incompatible even with Ezra's conception of the Law, is for our purpose irrelevant. Suffice it to say that the fact of such marriages having taken place soon after the time of Ezra cannot be denied. This, of course, made it necessary to keep special records of such proselyte families from which each proselyte could obtain proof as to his or her status and furnish such information as was necessary in order to decide whether or not he or she might be permitted to marry into the Jewish community, as for instance from what nation he was descendant, and in what generation he was. Such information was necessary both for priests, who were not permitted to marry any proselyte of the first generation, as well as for Israelites, who were prohibited from marrying proselytes from certain nations.

Indeed, we have evidence that in the later times of the second Temple such records of proselyte families were kept

and preserved in the Temple at Jerusalem. Eusebius (*Church History*, I, ch. vii. 3) reports from an old tradition that up to the time of Herod there were kept in the archives of the Temple at Jerusalem genealogical books in which the families of the Israelites as well as of the proselytes were recorded, and those descended from proselytes.⁷ From the Zadokite fragment published by Schechter, which, even if it be not a document originating in Temple times, at least records conditions of Temple times, we likewise learn that the custom prevailed to record the people according to four distinct groups, Priests, Levites, Israelites, and Proselytes, and that the persons or families belonging to each of these four classes were recorded by name in their special register.⁸ From many passages and discussions in the Talmud it is likewise evident that there existed such lists or registers for proselyte families from which each proselyte could prove his origin, descent, and status in regard to his admission into the community.

An indication of the existence of such a special register for the families of the proselytes kept in the Temple is, in my opinion, found already in the book of Malachi.

⁷ According to the tradition reported by Eusebius, Herod is said to have destroyed these registers for the purpose of hiding his own non-Jewish origin. With no record to prove his descent from Proselytes, he could claim to come from Jewish ancestors. This tradition has some connexion with the report in the Talmud (*Pesahim* 62) about the suffering of the teachers in connexion with the hiding away of the ספר יוחסין. I expect to treat all the talmudic reports about family records ספר יוחסין and מגילת יוחסין in a special essay.

⁸ *Documents of Jewish Sectaries* (Cambridge, 1910), vol. I, p. 14. The passage reads as follows: וסרך מושב כל המחנות יפקדו כלם בשמותיהם: הכהנים לראשונה והלויים שנים ובני ישראל שלשתם והגר רביע וכתבו בשמותיהם איש אחר אחיהו הכהנים לראשונה והלויים שנים ובני ישראל שלשתם והגר רביע.

The rigour with which Ezra and Nehemiah proceeded against intermarriage preventing the neighbouring nations from joining the Jewish community, had frightened away many sincerely pious and God-fearing proselytes. These pious proselytes, even though remaining true to the religion which they had sincerely adopted, were, nevertheless, very much disheartened and discouraged by the treatment accorded them by the Jewish rigorists. They complained very bitterly about the injustice done them by expelling them from the community which they earnestly wished to join and excluding them from the people of God with whom they anxiously sought to be identified. The justice of their complaint was recognized by the more liberal elements in the Jewish community who did not approve of the rigid policy of exclusion. These liberal advocates of universalistic tendencies among the Jews encouraged the proselytes to remain true to their adopted faith, for the God of Israel whom they serve accepts them fully as His own people. We hear the anonymous prophet offering such a comforting message to the despairing proselytes. 'Neither let the son of the stranger that hath joined himself to the Lord speak, saying, the Lord hath utterly separated me from His people. . . . For thus saith the Lord . . . Also the sons of the stranger, that join themselves to the Lord, to serve Him and to love the name of the Lord, to be His servants. . . . Even then will I bring to my holy mountain and make them joyful in my house of prayer . . . for mine house shall be called an house of prayer for all people. The Lord God which gathereth the outcasts of Israel saith, Yet will I gather others to him besides those that are gathered unto him' (Isa. 56. 3, 6-8). A reaction soon set in against the rigid policy of indiscriminately excluding the stranger from the community.

The prophet Malachi (3. 13-15) rebukes those people who, if not in actual words, yet by their conduct and attitude towards the proselytes declare that it is in vain for the stranger to serve God, and that it would not profit them to keep His ordinances, since in spite of their piety they will not be accepted into the community but will be refused the privilege of being registered and have a זכרון mention of their names in the lists of the members of the community, while on the other hand wicked and proud people—if they be of Jewish descent—are made happy and set up as acceptable among the members of the community. The prophet recognizes the justice of the complaint of the proselytes who would speak among themselves of this unjust attitude towards the stranger on the part of the Jews. The prophet goes on to say: 'When they [the proselytes] that feared the Lord spoke often one to another [complaining about their being thus unjustly discriminated against] then God hearkened to them and listened and there was written before Him a book of remembrances for them that feared the Lord and that thought upon His name. And they [these strangers] shall be mine saith the Lord of hosts. . . . Then shall ye return and discern [that distinction should be made only] between the righteous and the wicked, between him that serveth God and him that serveth Him not [but not between the born Jew and the proselyte]' (*ibid.*, vers. 16-18). The passage וכתב ספר זכרון is to be taken in a very plain sense to mean, simply, that a book mentioning the names of the יראי ארני, the proselytes who fear God, was written and kept before God, not in heaven, but in His sanctuary.⁹

⁹ There is no reason for assuming that in this passage of the book of Malachi reference is made to a mystic book in heaven. The term לפני ר' is

We have in this passage a statement of the fact that the reaction against the rigid policy of excluding the stranger resulted in the recognition on the part of the official leaders of the community of, at least, the sincerely pious and God-fearing among the proselytes. We are accordingly justified in assuming that already at a very early time in the history of the restored community the re-admission of the truly pious proselytes into the community took place. A special book was then opened for them and kept in the sanctuary, before God, i.e. in the archives of the Temple. In this book all the names of proselytes and their families descended from them were recorded and found mention. By this official recognition the proselytes became an integral part of the community, which now consisted of *four* distinct groups or classes, viz. Priests, Levites, Israelites, and Proselytes. The latter were called by the name of יְרֵאִי אֲדָנִי 'Those who fear the Lord'. Such a division of the community into four distinct classes, of which the proselytes were one, is already found in the Psalms. Here the proselytes, under the name of יְרֵאִי אֲדָנִי 'Those who fear the Lord', are mentioned together with the Priests בֵּית אַהֲרֹן, the Levites בֵּית הַלֵּוִי, and the Israelites בֵּית יִשְׂרָאֵל (Ps. 135. 12-13).

This division of the community into special classes was also maintained in the books of the genealogical records. Each one of these four classes had a special register of its own. The proselytes had their separate register called

'Before the Lord' means in the Sanctuary, where His presence is especially manifested. Thus, a jar containing an omerful of manna was laid up before the Lord, i.e. in His sanctuary (Exod. 16. 33); Moses laid up the rods before the Lord in the tent of the testimony (Num. 17. 22), and Samuel wrote down the manner of the kingdom in a book and laid it up before the Lord, i.e. in the sanctuary (1 Sam. 10. 25).

ספר זכרון ליראי אדני 'The Book of Remembrance for those who fear the Lord', or shortened ספר יראי אדני 'The Book of those who fear the Lord'. The Israelitish families of pure Jewish descent, i.e. the genuine Israel, had their own register, originally called כתב בית ישראל 'The record of the House of Israel'. The lists of this record were traced back to the lists of the families kept already in exilic times, and referred to in Ezek. 13. 9, hence it was called by the name given to this record in Ezekiel. The Priests and Levites, finally, also had their special registers, which, as we have seen, were frequently consulted by the members of the Tribunal sitting in the Lishkat ha-gazit and examining the purity of the descent of the Priests and Levites.

There seems, however, to have been a tendency already in early times to consider these two classes, Priests and Levites, as one. Thus in Psalms 115. 12-13 and 118. 2-4, only three classes of the community are mentioned, viz.: Proselytes, or those who fear the Lord, Israelites, and the House of Aaron, בית אהרן. Here evidently the Levites together with the Priests are included in the House of Aaron. Ezekiel also classes Priests and Levites together (45. 15), as is also done in Deut. 18. 1, and the Talmud speaks of twenty-four passages in the Bible where the Priests are called Levites (Yebamot 86 b). We cannot here enter into a discussion of the relative position of the Priests and Levites, whether they were at one time equals and then distinguished from one another, and then again made equals. But without discussing these mooted questions it may be safely stated that the majority of the Rabbis considered Priests and Levites as in a certain sense one class. It may be reasonably assumed that the registers for Priests

and Levites, even if they were kept separately, were regarded by the Rabbis as one. It is, however, more likely that in later times, when the Levites obtained more recognition of their equality to the Priests, there was actually kept only one register for both Priests and Levites.

After this digression, describing the genealogical records kept in the Temple, we shall now proceed to interpret our report about the three books and we shall have no difficulty at all.

As already stated, the report, in my opinion, speaks about these very genealogical records. I may further add that our report, emanating from a rabbinical source, represents the opinion of the majority of the Rabbis who regard the two priestly classes, Priests and Levites, as one, or considers the two distinct records, if they were kept distinct, as one.

The report tells us first that three such books were found in the Temple שלשה ספרים נמצאו בעזרה. Then it proceeds to give us the character and contents of each one of them. אחד של מעונים, one book, was the Book of the 'Templars', i.e. of those belonging to the Temple or connected with its service. The Temple was called מעון, and those connected with it are called Meonim, or in the shorter form Meone. This ספר מעוני, then, is the book in which the genealogical records of the Priests and Levites were kept.

The second book was the record of the noble families of pure Jewish descent. This was called ספר זעטומים. In Talmud b. Megillah 9 a, we are told that the elders who translated the Torah for King Ptolemy used the word זעטומי for the word אצילי in Exod. 24. 2. From this we learn that the word זעטומי, like אצילי, was understood to mean 'the nobles', 'the distinguished ones'. For this reason these

translators are also said to have used the same word זעטוטי for the word נערי in Exod. 24. 5, to indicate that those who were sent to sacrifice and officiate were not mere youths נערי, but the nobles, men of high rank.

As has already been said above, this record of the Israelites was originally called by the name כתב בית ישראל. However, since this record furnished the proofs for the pure descent and the nobility of the families recorded in it, it was subsequently called ספר זעטוטים 'The Book of the Nobles or Aristocrats'. This is indicated especially in the version of our report as found in Sifre. There the statement reads ואחר שנקרא ספר זעטוטים 'And one that was called the Book of Zaatutum'. The phrase 'that was called' implies that this was not its original name. It may be that this name was used by the people ironically to indicate by it that the book is of interest and benefit only to the aristocratic families. This also explains the use of the foreign word, Zaatutum, because it was the name given to this book by the people who could well use such a foreign word.¹⁰

The third book was the record of the families of the

¹⁰ Whatever this foreign word may have meant, it described the character of the book adequately. If we accept the explanation of Perles (*Beiträge zur Rabb. Sprach- und Sagenkunde*, p. 5) that it comes from the word *zata* in the Zend language, which means 'born', then Zaatutum would simply mean, those born, that is, born of Jewish parents. זעטוטי בני ישראל would be like תולדות בני ישראל, and would designate those born of purely Jewish families. The book may have received this name already in the Persian period instead of the name כתב בית ישראל, with which these genealogical lists were designated in the exile. And if we assume that the word זעטוטי is the Greek *ζητοῦντες*, which means, the wise men, or, the searchers, the name ספר זעטוטים would also adequately describe the character of this book, in which were recorded those people from which alone the wise judges and members of the Sanhedrin could be chosen; see above, note 6.

God-fearing proselytes who, as we have seen, were designated by the name יראי אדני 'Those who fear the Lord'. This record of the proselytes was originally called by the name suggested by the passage in Malachi לִירְאֵי אֲדֹנָי. In a shorter form it was called ספר יראי אדני. As יראי אדני is a compound word, used as a designation for a special class of people, it could well receive the article ה.¹¹

The record of the proselytes was therefore called ספר הַיְרָאִי אֲדֹנָי. Some people may have called it more explicitly ספר הגרים יראי אדני 'The record of the truly God-fearing proselytes'. Abbreviated, this title was written הגרים יראי אדני or היראי אדני,¹² which stands for the abbreviation marks, if ever such were used in ancient times, were by mistake dropped or ignored. And the abbreviation used in the ancient report for the designation היראי אדני became merely היא, which caused

¹¹ The use of the article ה before such compound words is not infrequently found, as e.g. Ezek. 45. 16 העם הארץ, and Judges 16. 14 היתר הארנ. It is of interest in this connexion to notice that the teacher בר הי חי mentioned in the Talmud (Hagigah 9 b) was, according to tradition, the son of a proselyte; the name, accordingly, also contains the abbreviated form הי for היראי and not as Tossafot, *ad loc.*, explains the same. See Bacher, *Agada der Tannaiten*, I, p. 11.

¹² Such abbreviations are not infrequently found in the Talmud, as e.g. גב"ם חג"בי אב"י אב"י in Sanhedrin 82 a, and נש"ג in Megillah 21 b, and מנ"ח in Yoma 18 a. In the latter passage it is evident that the abbreviations were used in the Baraita already, for the Gemara there explains what each abbreviation means. How such abbreviations could sometimes be misunderstood is best shown in the case of Mishnah Abot IV, 19. Here the phrase שמואל הקטן אומר is, as Bacher (*Agada der Tannaiten*, I, p. 370) has shown, the result of an erroneous dissolution of the abbreviation ש"ה"א which stood for the phrase שהרי הכתוב אומר, introducing the Scriptural proof (Prov. 24. 17) for the saying of R. Simon b. Eleazar in the preceding paragraph.

a great deal of misunderstanding in the interpretation of our report.

According to this interpretation, our report presents no difficulties at all. It is clear in its statements and plain in its meaning. All the difficulties in our report, caused merely by the false interpretation given to it in the talmudic glosses, disappear in the light of my theory. This in itself is a strong recommendation, and speaks for the correctness of this theory.

The following observation about the position of our report in the context of the Pal. Talmud will further confirm our theory that the report deals with genealogical records and not with Torah scrolls. As already stated, the text of the original report, as given in the Pal. Talmud, consists of the first ten words, beginning with the words **היה שלשה ספרים** on line 47, and closing with the word **הוא** on l. 48. All that follows, beginning with the word **באחר** on l. 48 and ending with the word **אחר** on l. 53, is, as we have seen, a later addition and forms a commentary on the original report. Close upon this commentary, right after its last word **אחר**, there follows in the text of the Pal. Talmud a statement by R. Levi about the **מגילת יוחסין**, or a scroll containing genealogical lists, which was found in Jerusalem. Now, if we eliminate the commentary on our report which extends from l. 48 to l. 53, as a later addition, or an interpolation, then we have in that passage two statements about the family registers which were kept in the Temple at Jerusalem, the one giving the general information that the three classes or groups were recorded in three separate books, and the other quoting a fragment of such a record which was found in Jerusalem and which probably came from the Temple archives. Although we cannot apply the method

of סמוכים to the interpretation of the Talmud, yet the close contact of these two statements in the context of the passage strongly suggests also a close relationship between their contents. And we may consider this as a סמך, an additional support for our theory.

In this connexion I would further state that, as it seems to me, these two sayings belonging to one another and furnishing information about the genealogical records, are both placed in the wrong section of the Pal. Gemara, as we have it now. Such a misplacement of sayings is not infrequently found in the Pal. Talmud (see Frankel, *Mebo Hayerushalmi*, pp. 39-40). These two intimately connected sayings properly belong to the section of the Gemara, commenting upon paragraph six of the fourth chapter of the Mishnah Taanit, in which there is mentioned a list of many old families who in the respective dates assigned to them brought the wood-offerings. In a collection of Amoraic sayings and explanations to the Mishnah, or, as I would call it, in an early Gemara, which was subsequently made use of by the redactor of our Yerushalmi, the comment to paragraph six of the Mishnah contained these two sayings. In connexion with the names of the families enumerated in the Mishnah reference was given to the sources whence such lists of ancient families could be obtained, or where these families were recorded. So, there was first stated that three books containing such lists of families were found in the Temple at Jerusalem. And then a fragment of such a list was cited in which some of the families referred to in the Mishnah are actually recorded (compare the names of the families יונדב בן רנב and בן יהודה mentioned in the Mishnah and also given in the fragment of the מגלת יוחסין cited by Levi). This was the point of contact between the

Mishnah and the comment of the Gemara, stating where these families were actually recorded, and incidentally giving us also general information about the three records. At the redaction of the Pal. Talmud, the comment containing these two sayings, viz. the ancient report about the three books and the saying of Levi about the fragment of such records, was erroneously transferred from the Gemara discussion of paragraph six to the one pertaining to paragraph two in the Mishnah. The mention made in the latter paragraph of the Mishnah of the priestly divisions and their corresponding Israelitish divisions כ"ר משמרות ומעמדות, suggested to the redactor the idea of connecting with it the comment of the Gemara containing the statement about the three books, in one of which, the Sefer Meoni, the priestly divisions were recorded. This was but a slight mistake of arrangement made by the redactor and is rather pardonable. Of course, he could have placed the report about the three books in the section discussing paragraph two and the saying of Levi in the section discussing paragraph six of the Mishnah. He would have thus maintained in each case the point of contact and the connexion between the Mishnah and the Gemara comment on it. But, as already stated, the two sayings have both been taken over from one source, an earlier Gemara, and were inseparably connected with one another, so that with the transfer of one the other was also transferred.

In this manner the saying of Levi with the quotation from the מגילת יוחסין came into the wrong section of the Gemara, simply because it was so closely connected with the report about the three books. Later on, in the course of time, after the true meaning of this report had been forgotten and its statements misinterpreted, a later inter-

polater inserted the false commentary on the report right next to its text, thus separating the words of the report from the saying of Levi with which it had before been so closely connected. The origin of this later interpolation I shall now discuss briefly.

We have found that the commentary contained in the talmudic glosses on our report altogether misunderstood the purport of the report and gave it a false interpretation. Now, it is true that the later Amoraim sometimes misunderstood old tannaitic statements, especially such as deal with ancient problems, long forgotten, or refer to conditions of earlier times which were no more known to the younger Amoraim. For this reason, we find not infrequently that some of the interpretations given by the later Amoraim to older Mishnahs are not correct. Accordingly, there would be nothing unusual in the supposition that the false interpretations given to our report in the talmudic glosses originated with some of the younger Amoraim. However, I am inclined to think that the false commentary to our report as found in the Pal. Talmud, is not an interpretation of the Amoraim but rather a later interpolation, as we find many such interpolations in the text of the Pal. Talmud (see Frankel, *op. cit.*, p. 38). Furthermore, it may be reasonably assumed as plausible that the false conception of our report as given in this commentary did not originate wholly in one teacher's mind. It is not one mistake made by one individual teacher. It is rather the result of a few minor mistakes and slight misunderstandings made by many different persons. Each one of these minor mistakes is in itself pardonable and can be easily explained. But the repetition and cumulation of these slight misunderstandings gradually led to graver mistakes, and finally resulted in

that altogether false commentary given in these talmudic glosses.

The very fact that there are different, and partly contradictory, versions of this commentary supports such a supposition. For the existence of these conflicting versions of the commentary can be explained only by the supposition that they are modifications and enlargements of an earlier commentary. If we could distinguish in each one of the versions the additional elements to the earlier commentary, and if we could also recognize the slight changes and modifications which each version made in the original commentary, then we might be able, by a process of elimination, to restore the original commentary or earlier interpretation of the report. We could then decide whether the report has been misunderstood by its very first commentator, or its misinterpretation be due to a series of mistakes made by those responsible for the different versions which changed the original commentary beyond recognition.

I believe the latter to be the case, and in the following I shall attempt to trace the various misunderstandings through the whole process which resulted in the different and conflicting versions of the commentary.

I offer the following theory merely as a hypothesis. The original commentary to the report read as follows: באחד כתוב מעונים ובאחד כתוב זעטומי בני ישראל ובאחד כתוב הגרים יראי אדני. Using the abbreviation א"א for יראי אדני, the last sentence read באחד כתוב הי"א or באחד כתוב א"א. The term כתוב was used here in the sense of 'was inscribed' or 'was recorded'. This furnished a correct explanation of the meaning of the report, telling us that in each book was registered or recorded a special group or class of families

which constituted the Jewish community. This commentary probably originated with R. Jose b. Halafta, the reputed author of the Seder Olam, who as an historian correctly understood this ancient report.

This explanation of R. Jose, like so many other teachings and Halakot, was written down by students in their private scrolls or note-books. These private scrolls were not intended for publication, but merely to assist the memory of the student. The students would therefore not always record the sayings or teachings, which they embodied in their note-books, in the exact wording in which they heard them from their teachers. They would very often record the gist of the saying or express it in their own words and add a brief remark of their own. We need therefore not be surprised if some of the students in recording this commentary of R. Jose in their note-books made some slight changes in it or added a short explanation to it, so as to make its idea clearer to themselves. One of the students, in copying the brief explanation to the third book, wrote down in his note-book instead of **באחד כתב הי"א** the words **באחר כתוב טה"א**, which is the abbreviation of **טהרת הנשים** or **טהרת הי"א**, thus indicating to what purpose these lists of families were recorded, namely, to prove them pure without any stain and consequently eligible to be permitted into the community.¹³ This is a slight change in the wording of the original commentary, but can certainly be excused as it gives a fuller explanation. Another student in copying the commentary into his note-book wrote about the first book **ספר של מי שנמצא במעון**, the book of those who

¹³ The use of the term **טהר** in the sense of purity of descent is frequently used in the Talmud, as e. g. Kiddushin 72 b **ממורי ונתיני עתידין** 72 b **ממורי ונתיני עתידין**, and M. Eduyot, V, 7 **אין אליהו בא לטמא ולטהר**, **לטהר**.

are found in or belong to the Temple, thus explaining the term *מְעוּנִים* to mean Priests and Levites who are connected with the Temple service.

The collections of such sayings contained in the notebooks of students were copied and used by later students, and subsequently used by the later compilers or redactors of the talmudic works. In the process of copying these notes many mistakes naturally occurred. It is out of such errors and mistakes, made by later copyists, that the various versions of our commentary gradually grew. A copyist who found in one collection the comment *באחר כתוב טה"א*, with an indication that the letters *טה"א* are an abbreviation, misunderstood the significance of the abbreviation. He erroneously took it to stand for *ט' היא*, i.e. nine times the word *היא*. To avoid any possible mistakes he wished to make the meaning of the expression clear. He therefore wrote down in his own collection, instead of the abbreviated form *טה"א*, the full words *באחר כתוב תשע היא*. Another copyist made a similar mistake with the simple statement found in the other collections reading *באחר כתוב יא*, where the abbreviation *יא* stood, as we have seen, for *י"א ארני*. The copyist erroneously took the two letters here to stand for their numerical value. Taking *י"א* to mean eleven, he accordingly understood the comment to say that in this one book were written *eleven*. Having in mind the Massoretic notice that there are eleven passages in the Torah in which the word *היא* is written in this form, he associated this comment with the remark about the *י"א ידות* *שבחורה* and explained it to say that this one book was a Torah scroll or Pentateuch copy, which contained this peculiarity eleven times as distinguished from the other copies which had it only nine times, *ט' היא*. Thus developed

the false interpretations of this part of the report as referring to Pentateuch copies. Still another later copyist tried to indicate this false interpretation into the very text of the ancient report itself. After the book mentioned in the report had been understood to be the Pentateuch copy with the peculiarity of the **היא**, and finding in an older text of our report the words **ספר הי"א** with some indication that the letters **היא** are an abbreviation, he took it to mean the book of the eleven and believed that the word **היא** ought to be added to the letters **היא**, standing for eleven, to indicate what is meant, namely, the eleven times of the word **היא** written in this form. In this manner originated the slight change in the text of our report as found in **ספר היא היא**, the abbreviation marks over the first **הי"א**, if such were used, having been dropped.

The same misunderstanding probably took place in regard to the comment about the second book; at least, we can see how easily it could have been made. The phrase **זעמוטי בני ישראל** was familiar to the copyist. He remembered the talmudic report that this phrase was used by those who translated the Torah for Ptolemy, as a substitute for **נערי בני ישראל** in **Exod. 24. 5**. When reading this comment that in one of the books were written the **זעמוטי בני ישראל**, he could easily make the mistake to believe that this had reference to a Pentateuch copy in which this phrase, supposed to have been used in the translation prepared for Ptolemy, actually occurred in the text itself instead of the word **נערי** as written in the others. To the original comment, reading **באחד כתוב זעמוטי בני ישראל**, he therefore added the explanatory words **ובשנים כתוב וישלח את נערי בני ישראל** to indicate plainly in what this copy was distinguished from the other two.

Thus far the mistakes could easily be made. All that was necessary was to start wrongly and give to the word כְּתוּב the meaning of 'In the text was written' instead of 'In it was inscribed or recorded'.

In the case of the first book, it is true, the mistake cannot so easily be explained. However, once the mistake was made to interpret the phrase כְּתוּב to mean 'in the text of one was written' instead of 'in one was recorded' they necessarily had to interpret the phrase in the same sense also in regard to this case, and take the word Meonim or the shorter form Meoni as a word which was found written in the text of this book, instead of some other word. Having taken the other two books for Torah copies, the first was likewise taken for a Torah copy and the word Meoni as a variant to the passage in Deut. 33. 27, where a similarly sounding word Meonah occurs, which in the mistaken opinion of this compiler could have been the one in regard to which the copies differed, although the supposed reading in the text מֵעֵן אֱלֹהֵי קֶדֶם does not quite satisfactorily explain the name Meoni.¹⁴

¹⁴ It is probably due to such a misunderstanding on the part of a later interpolator that our report was inserted into the Sifre to the very passage, of which one of the three books was supposed to have contained a different reading.

It is, however, more plausible to assume that the text of our report was originally contained in the Sifre. Its presence there can easily be explained. Since the passage מֵעֵנָה אֱלֹהֵי קֶדֶם was understood to refer to the Temple in Jerusalem, the compiler thought fit to connect with this passage a report about the three genealogical books, which were kept in that Temple. A later interpolator, however, who had already misunderstood the meaning of our report, added to it the explanatory remark about the meaning of the first book, which he copied from the Pal. Talmud, and by which he meant to account for the presence of the report in the Sifre to the passage מֵעֵנָה אֱלֹהֵי קֶדֶם. This would explain why no remarks about the other two books are found in the Sifre, as the interpolator did not

This difficulty was felt, and so in looking for a more satisfactory explanation of the name Meoni, one of the versions had preserved the statement found in an older collection as part of R. Jose's explanation and which read ספר של מי שנמצא במעון, shortened from ספר שנמצא במעון. They took this to be a more satisfactory explanation of the term מעוני. But the error of considering these books as Torah scrolls was already too well established and could not be abandoned, and this comment, found in an older collection, had also to be adapted to the supposition that the report deals with Pentateuch copies. They accordingly assumed that this comment merely says that Meoni signifies a copy found in Maon or in the Temple, ספר עזרה 'book of the Temple'.

A later glossator, to whom it was perhaps known that Maon is sometimes used as a shorter name for Beth Maon, may have made the same mistake which Prof. Blau made, and imagined that מעון here is not the Temple but the place בית מעון, and he accordingly inserted the word בית. Thus came about the reading זהו ספר שנמצא בבית מעון, which could be explained by Blau, and perhaps also by the glossator, to mean a Torah scroll which was found or preserved in the place Beth Maon.

The above sketch of the possible developments which may have led to the false interpretation of our report is merely a suggestion offered by me to explain how our report could have been so utterly misunderstood and wrongly interpreted.

Whether the mistake came about in the manner described above or in any other way, whether it was

intend to interpret the report but merely to explain its connexion with that passage in Sifre.

committed by one or more teachers, by Amoraim, or by later interpolators, the fact remains that the interpretation is false and based upon an erroneous conception of our report. Even if this misinterpretation came from the Amoraim, it would nevertheless be wrong, and would in no way affect my main theory that our report deals, not with Torah scrolls, but with genealogical records. This theory, I trust, I have proved satisfactorily.